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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/661,983

09/12/2003

Richard L. Wilder

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9326

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7590

06/12/2007

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EXAMINER

RENDON, CHRISTIAN E

ART UNIT

PAPER NUMBER

3714

MAIL DATE

DELIVERY MODE

06/12/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/661,983

Applicant(s)

WILDER ET AL.

Examiner

Christian E. Rendón

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-2, 5-7, 9-12, 14-15, 18-21, 23-28 and 30-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Burak et al. (US 2003/0176214 A1).

2. Burak discloses a machine for displaying the outcome of a wagering game: slots, poker, keno, bingo, blackjack or roulette (Abstract) using a three-dimensional (3D) display (par. 53, lines 5-6). Once the money/credit detector (Fig. 1, 118) senses the player inserting money/credit into the machine, a wagering game program is executed on the display (par. 52, lines 7-9) in video form (par. 56, lines 10-12). The player can then select the number of paylines to play (par. 52, lines 10-11). If the player chooses the right pay lines then they are rewarded by the payoff mechanism (Fig. 1, 116) in response to the winning outcome (par. 54, lines 9-11). The gaming device also includes networking components (Fig. 1, 114) to allow other gaming machines or accounting systems connect to the device via a network (par 54, lines 16-18). All of the embodiments of the gaming machine have at least two displays. Based on the embodiment, the secondary display is used to exhibit a help screen or information screen to allow the player to make selections through a touch screen (par. 65, lines 1-6), the basic game (par. 83, lines 5-6), or continue displaying the main

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game (par. 74, lines 18-20). Burak discloses the use of a lenticular display as a secondary display for exhibiting a basic or bonus game (par. 133, lines 6-11). A lenticular display interleaves an image destined for the right and left eye (par. 131, lines 7-9) resulting in the impression of depth. In other words, multiple images of an object from different angles or perspective views are sent to a viewer whom's brain involuntary fuses the images together creating an image with depth perception (par. 131, lines 7-14). The structure of the 3D display consists of an LCD (par. 132, line 12) as the image data layer aligned the smooth back surface of a sheet of cylindrical or spherical lenticular lens (Fig. 16a-b). It is imperative for the back surface of the lenticular screen to have an anti-reflective back plane to insure user will view all the multiple views at a clear and high quality. In color LCD, an individual pixel consists of three cells or sub-pixels for the colors of Red, Green and Blue. Therefore a plurality of sub-pixels are arranged into columns that are aligned with the sheet of lenticular lens.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-4 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burak et al. (US 2003/0176214 A1) in view of one having ordinary skill in the art.

3. The above description of the invention disclosed by Burak and the limitations they pertain is considered within this art rejection as well. Regarding claims 4 and 7, Burak discloses using symbols traditionally displayed in 2D on mechanical reels (par. 64, lines 3-5) in slot machines. In other words, Burak clearly states the use of the symbols and the mechanical reels as a well-known

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feature of a wagering game. Therefore it would have been obvious to one having ordinary skill in the art to include mechanical reels in the gaming device as a method of invoking familiarity in a player towards a gaming device with revolutionary technology as the one disclosed by Burak.

4. Regarding claim 3, Burak discloses a device for executing games: poker, slots, blackjack, keno, and bingo in a video form. In one embodiment up to nine playing cards are displayed (par. 97, lines 1-5). In the example, if the three middle cards create a three-card poker hand then the player wins (par. 57, lines 7-13). However, Burak remains silent about displaying five-card poker games or any other form of poker. It would have been obvious to one having ordinary skill in the art to have included other forms of poker into the machine to increase the replay value of the machine and ultimately the profitability of the machine.

Claims 8, 22, 29 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burak et al. (US 2003/0176214 A1) in view of Miyazawa et al. (US 6,954,223 B2).

5. The above description of the invention disclosed by Burak and the limitations they pertain is considered within this art rejection as well. Burak remains silent in disclosing the number of perspective views that comprise an image created by the lenticular display of the gaming machine. Miyazawa discloses a stereoscopic image generating apparatus for a gaming apparatus (Miyazawa: Abstract). The stereoscopic image consists of four-eye or perspectives and is displayed through a lenticular screen (Miyazawa: col. 4, lines 49-59). However, Miyazawa discloses that the display is configurable to create n-eye or perspectives for every frame (col. 10, lines 64-67). Therefore, the applicant's limitation towards nine perspectives is viewed as mere design choice, since applicant has not stated that nine perspectives solves any stated problem.

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Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Burak et al. (US 2003/0176214 A1) in view of Acres et al. (US 5,655,961).

6. The above description of the invention disclosed by Burak and the limitations they pertain is considered within this art rejection as well. The gaming device includes networking components (Fig. 1, 114) to allow other gaming machines or accounting systems connect to the device via a network (par 54, lines 16-18). However Burak remains silent about performing this feature through the use of the Internet. Acres teaches the creation of "a system for monitoring and configuring gaming devices interconnected over a high-speed network" (Acres, Abstract, line 1). The Internet is an example of a "high-speed network". Therefore it would be obvious, to one of ordinary skill in the art at the time of the invention was made, to use the system disclosed by Acres for interconnecting gaming devices like the gaming device disclosed by Burke for several advantages. The ability to "extract accounting data from individual gaming devices as well as providing player tracking" (Acres, column 1, line 11), the ability to provide users with casino debit accounts and "reconfigure gaming devices remotely" (Acres, column 2, line 32).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christian E. Rendón whose telephone number is 571-272-3117. The examiner can normally be reached on 9 - 5pm.

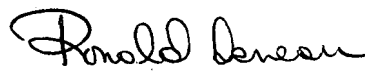
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christian E Rendón
Examiner
Art Unit 3714

CER


RONALD LANEAU
PRIMARY EXAMINER
6/8/07